

SERVICE DATE – AUGUST 2, 2016

**SURFACE TRANSPORTATION BOARD**

**DECISION**

Docket No. EP 542 (Sub-No. 24)

**REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED  
IN CONNECTION WITH LICENSING AND RELATED SERVICES—2016 UPDATE**

Decided: July 27, 2016

Digest:<sup>1</sup> This decision updates the fees that the public must pay to file certain cases and pleadings with the Board to cover the 2016 full cost levels. In this update, the following results are obtained: 18 fees increased by \$50 or less, 15 fees increased by \$100 to \$199, 23 fees increased by \$200 to \$300, 19 fees increased by more than \$300, and the remaining 58 fees will be maintained at their current level.

**BACKGROUND**

The Surface Transportation Board (STB or Board) is required by regulation at 49 C.F.R. § 1002.3 to update its user fees at least once per year. The Board's last annual user-fee update was issued in Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2015 Update (2015 Fee Update), EP 542 (Sub-No. 23) (STB served July 15, 2015), and became effective August 14, 2015. This decision updates the Board's fees based on the cost study formula set forth at 49 C.F.R. § 1002.3(d) and other relevant factors.

**RESULTS FROM THE 2016 UPDATE**

The Board's current master Schedule of Filing Fees has increased from 125 to 133 fee items due to an expansion of fee item 98, which will now include four fee items each for both monthly and quarterly Waybill requests.<sup>2</sup> Today's user fee decision is based on the 1.46% across-the-board general and locality salary increase and various overhead cost changes described in this decision. Approximately 86% of the fee schedule either increases by \$300 or

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<sup>1</sup> The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. Policy Statement on Plain Language Digests in Decisions, EP 696 (STB served Sept. 2, 2010).

<sup>2</sup> Parts iii and iv of fee item 98 are broken out into two categories each; quarterly fixed cost and quarterly sliding cost. Parts v and vi of the monthly costs are similarly divided.

less or remains unchanged as a result of this decision.<sup>3</sup>

## **2016 UPDATE FACTORS**

The factors that bear on the full-cost calculation of the Board's fee items are direct labor costs, government fringe benefit costs, and three types of overhead costs: the Operations Overhead factor, the Office General and Administrative Expense factor (Office Overhead factor), and the Board's Office General and Administrative Expense factor (Board Overhead factor).

**Direct Labor.** Direct labor costs for 2016 reflect a combined Government-wide 1.0 percent general and 0.46 percent locality salary increase that took effect in January 2016.<sup>4</sup>

**Government Fringe Benefits.** No updates have been instituted with respect to the Government Fringe Benefit Cost factor. Therefore, the Government Fringe Benefit Cost factor used in the update formula is applied at the same rate as in last year's decision – 56.25%.<sup>5</sup>

**Operations Overhead.** The Operations Overhead factor accounts for the time devoted by Office Directors, Deputy Directors, and any Directors' assistants or administrative staff. Based on fiscal year (FY) 2015 labor data, the Operations Overhead factor for 19 employees is set at 20.49%, a slight decrease from last year's 20.54% level, and is relied upon in this decision.

**Office Overhead.** The Office Overhead factor accounts for non-labor costs in the following seven categories: (1) Property Movement; (2) Rent and Utilities; (3) Printing; (4) Services to the Board; (5) Materials and Supplies; (6) Equipment Procurement; and (7) Property Indemnities/Other-Legal Settlement. Based on FY 2015 budget data, the Office Overhead factor is 26.79%, an increase from the FY 2014 figure of 26.07%. Four categories contributed significantly to the increase from FY 2014 to FY 2015: Services to the Board,

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<sup>3</sup> Results for the 2016 update are summarized in the table found on page 6.

<sup>4</sup> Executive Order 13715 implements the January 2016 pay adjustments. According to 5 U.S.C. §§ 5303(a) and 5304a, this Executive Order authorizes a one-percent across-the-board increase for statutory pay systems and also provides for a locality percentage increase based on the 2015 percentage levels. See Exec Order No. 13715, 80 Fed. Reg. 80,193 (Dec. 23, 2015).

<sup>5</sup> In accordance with instructions from the Office of Management and Budget, and based on past Board precedent, the component parts of the Government Fringe Benefit Cost factor remain as follows: the Standard Civilian Retirement Benefit remains at 26.10%; the Insurance and Health Benefit remains at 7.00%; the Medicare Benefit remains at 1.45%; the Miscellaneous Fringe Benefit remains at 1.70%; and the Leave and Holiday Benefit remains at 20.00%. See Mem. for the Heads of Exec. Dep'ts & Agencies, Office of Mgmt. & Budget, Exec. Office of the President (Mar. 11, 2008), available at <https://www.whitehouse.gov/sites/default/files/omb/memoranda/fy2008/m08-13.pdf>; Regulations Governing Fees For Servs. Performed in Connection With Licensing & Related Servs., 1 I.C.C.2d 60, 74 (1984).

Equipment Procurement, Rent and Utilities, and Materials and Supplies.<sup>6</sup> The Services category increased by \$40,327 over its FY 2014 counterpart; the Equipment category increased by \$97,071 over its FY 2014 counterpart due to the new computers and related products that the Board procured in FY 2015; the Rent and Utilities component rose by \$84,333 over its FY 2014 level; and the Materials and Supplies category increased over its FY 2014 level by \$38,634. In total, these four categories accounted for \$260,365. Factoring in the other three categories leads to a total increase of \$257,825 over the FY 2014 level. Based upon the various increases and decreases to the seven categories that make up this factor, the 26.79% Office Overhead factor will be applied in this decision.<sup>7</sup>

**Board Overhead.** The Board Overhead factor accounts for the time devoted to all Board-wide support services, such as the mailroom staff, the information technology department, the financial services department, and the human resources department. This factor increased from 12.74% to 13.87%, as compared to last year's decision.

The 2016 full cost level for each fee item developed from the cost factors discussed above is set forth in column 10 of APPENDIX A.<sup>8</sup>

## FULL COST RESULTS

Increases to direct labor costs and two of the Board's three overhead cost factors (Office Overhead and Board Overhead), coupled with a small decrease to the Operations Overhead factor, generate bottom-line results for each fee item in the schedule. The Board's 133 fee items are being adjusted to cover the complete 2016 full cost levels as compared to the 2015 Fee Update full cost levels.<sup>9</sup> Listed below is a summary of the full cost percentage increase changes for the Board's 133 fee items from FY 2014 to FY 2015:

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<sup>6</sup> Office Overhead costs across all seven categories totaled \$5,371,960 in FY 2015, a net increase of \$257,825 from FY 2014. That net increase resulted from increases in the Services to the Board, Equipment Procurement, Rent and Utilities, and Materials and Supplies costs (which collectively went up by \$260,365), offset by a slight decrease of \$2,540 across the remaining three categories.

<sup>7</sup> The 26.79% Office Overhead factor results from dividing the FY 2015 Office Overhead cost of \$5,371,960 by the FY 2015 total office cost of \$20,053,465.

<sup>8</sup> The exact overhead factors utilized in APPENDIX A are as follows: Operations Overhead Factor = 0.20489758; Office Overhead Factor = 0.26788187; and Board Overhead Factor = 0.13873426.

<sup>9</sup> Of the 133 fee items contained in the Board's Schedule of Filing Fees, 12 items reflect no increase to the full cost levels and the 8 new monthly and quarterly Waybill request items do not show an increase because these items did not exist in FY 2014. The remaining 113 items fall into two distinct full cost increase ranges: fee items with publication costs total 55 (1.92% to 3.01%), and those items with no publication costs total 58 (2.56% to 3.15%).

**Full Cost Increase Ranges—FY 2014 to FY 2015**

<b>Percentage Increase Changes:</b>	<b>Number of Items:</b>
<b>0.00%</b>	<b>12</b>
<b>No FY 2014 Cost Data</b>	<b>8</b>
<b>1.90% to 2.50%</b>	<b>12</b>
<b>2.51% to 2.99%</b>	<b>31</b>
<b>3.00% to 3.15%</b>	<b>70</b>
<b>TOTAL</b>	<b>133</b>

**FEDERAL REGISTER COST**

There is no change in publication costs from the 2014 Fee Update decision. The United States Government Printing Office (GPO) has set publication costs at \$159 per column in GPO Circular Letter no. 942 (revised) on June 3, 2015. Thus, the 2014 Fee Update decision publication cost levels remain unchanged and are used here.

**OTHER FEES****1. Formal Complaint Fees:**

On July 7, 2011, the STB adopted a final rule that set the fees for full Stand-Alone Cost (SAC) rate complaints (fee item 56(i)) at \$350; set the fee for Simplified-SAC rate complaints at \$350 (item 56 (ii)); and reduced the fee for all other formal complaints from \$20,600 to \$350 (item 56 (iv)). Regulations Governing Fees For Servs., EP 542 (Sub-No. 18) (STB served July 7, 2011). These fees remain unchanged and are reflected in the Schedule of Filing Fees in APPENDIX B.

**2. Other Original Below-Cost Fees (Capped):**

Historically, certain fees have been held well below the full cost level, including trail use condition requests—item 27(i); Amtrak conveyance and compensation proceedings—items 47 and 48, respectively; labor arbitration proceedings—item 60; appeals of Board decisions—item 61(i); and motor carrier undercharge proceedings—item 62.<sup>10</sup> The Board has capped these fees out of a concern that higher fees could have a chilling effect on the ability of some to bring a matter to the Board's attention, or because certain types of actions were deemed to benefit the general public.

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<sup>10</sup> See Regulations Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2002 New Fees (2002 New Fees), EP 542 (Sub-No. 4), slip op. at 20-21 (STB served Aug. 29, 2002) (notice of proposed rulemaking).

Capped fees are occasionally adjusted, and the Board continues to monitor them. In Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2009 Update (2009 Fee Update), EP 542 (Sub-No. 16) (STB served May 5, 2009), the Board raised each of the six fee items identified above from \$200 to \$250. These fee items were maintained at \$250 in Regulations Governing Fees for Services Performed in Connection with Licensing & Related Services—2013 Update (2013 Fee Update), EP 542 (Sub-No. 21) (STB served Aug. 28, 2013). However, in keeping with the 2002 New Fees and the 2009 Fee Update decisions, the Board in its 2014 Fee Update raised these six fee and sub-fee items from \$250 to \$300. These existing six fees remain unchanged in this proceeding.

Other below-cost fees are: the feeder line development program (\$2,600)—item 13; petition for declaratory order involving a dispute over an existing rate or practice (\$1,000)—item 58(i); and all other petitions for declaratory order (\$1,400)—item 58(ii). These three items will also remain at their current fee levels, and are included in the Schedule of Filing Fees in APPENDIX B.

### **3. Certain Fees from the 2002 New Fees Decision Held Below-Cost (Capped):**

In 2002 New Fees, the Board added 19 new fee items to its user-fee schedule. Six of those items were capped below their full costs for reasons discussed either in the 2002 New Fees final decision or in the Notice of Proposed Rulemaking for that proceeding. Those capped items are: request for determination of a dispute involving a rail construction that crosses the line of another carrier—item 12(iv); formal complaint involving rail maximum rates filed under the Three Benchmark methodology—former item 56(ii), now 56(iii); request for an order compelling a rail carrier to establish a common carrier rate—former item 56(v), now 56(vi); request for expedited or temporary relief for service emergency or service inadequacy—items 63(i) and 63(ii), respectively; and basic fee for STB adjudicatory services not otherwise covered—item 88.

For the same reasons given above for raising the six original below-cost fees in its 2014 Fee Update, the Board also raised five out of the six capped items in 2002 New Fees from \$250 to \$300 and they will be held at the \$300 levels in this proceeding. The filing fee for Three-Benchmark methodology cases (sub-fee item 56(iii)) will remain \$150. These items are also included in the Schedule of Filing Fees in APPENDIX B.

The following table depicts the breakdown of user-fee changes for this proceeding:

**SUMMARY OF USER-FEE CHANGES FOR 2016<sup>11</sup>**

<b>Fee Item Change Category:</b>	<b>Number of User Fees</b>	<b>Percent of Total User Fee Schedule</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b>1. No Change in Fee</b>	58	43.6%
<b>2. Increases of \$0 to \$50</b>	18	13.5%
<b>3. Increases of \$100 to \$199</b>	15	11.3%
<b>4. Increases of \$200 to \$300</b>	23	17.3%
<b>5. Increases of \$400 to \$1,000</b>	8	6.0%
<b>6. Increases of \$1,100 to \$5,000</b>	3	2.3%
<b>7. Increases of \$5,100 to \$48,000</b>	8	6.0%
<b>TOTAL</b>	<b>133</b>	<b>100%</b>

**COMPARISON OF FEE LEVELS FOR YEARS 2015 AND 2016**

In order to show clearly the changes to user fees, a comparison table between the new 2016 fee levels and last year's 2015 fee levels is provided in APPENDIX C.

**ROUNDING**

In Regulations Governing Fees for Services Performed in Connection With Licensing & Related Services, 1 I.C.C.2d 60 (1984), the Interstate Commerce Commission established a formula for rounding fees downward. See id. at 73-74. This agency followed that formula until the 2014 Fee Update, when the Board clarified the fee-rounding regulation at 49 C.F.R. § 1002.3(e) to add the words “all” and “downward,” to more accurately reflect the longstanding and consistently applied policy established in 1984.

**NOTICE AND COMMENT REQUIREMENT**

The fee changes adopted here generally are a product of the mechanical application of the current update formula at 49 C.F.R. § 1002.3(d), which was adopted through notice and comment procedures in Regulations Governing Fees for Services Performed in Connection With Licensing & Related Services—1987 Update, 4 I.C.C.2d 137 (1987), as well as existing Board policy regarding capped fees. Additionally, this decision does not contain any new proposed fee items but does contain eight sub-items that are an expansion of existing fee item 98 that deals with Waybill requests. The Board continues to rely on the 2014 amendment to the rounding

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<sup>11</sup> See specific fee item changes in APPENDIX C. The four items that will increase by \$48,000 are items 38(i), 39(i), 40(i), and 41(i), which apply to “major” transactions under 49 U.S.C. §§ 11323-11325. The four fee items that will increase by \$9,600 are items 38(ii), 39(ii), 40(ii), and 41(ii), which apply to “significant” transactions under 49 U.S.C. §§ 11323-11325.

regulation discussed above that codified a long-established and consistently applied Board formula adopted in a published agency decision. Therefore, we find good cause to conclude that notice and comment are unnecessary for this proceeding. See 5 U.S.C. § 553(b); 2013 Fee Update, slip op. at 6.

It is ordered:

1. 49 C.F.R. Part 1002 of the Code of Federal Regulations is amended as indicated in APPENDIX B. Notice of the final rules adopted here will be transmitted to Congress pursuant to Pub. L. No. 104-121 (Mar. 29, 1996).

2. Notice of this decision will be published in the Federal Register.

3. These rules are effective on September 1, 2016.

By the Board, Chairman Elliott, Vice Chairman Miller, and Commissioner Begeman.

## APPENDIX A

<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
1	\$1768.87	\$1794.70	\$1009.52	\$2,804.21	\$574.58	\$905.12	\$594.32	\$4.00	\$4,882.23
2i	745.73	756.62	425.60	1182.22	242.23	381.58	250.56	189.13	2245.72
2ii	1157.08	1173.97	660.36	1834.33	375.85	592.07	388.77	340.96	3531.98
2iii <sup>12</sup>	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2924.50
3	10964.53	11124.61	6257.59	17382.21	3561.57	5610.46	3683.98	189.13	30427.35
4i	1768.87	1794.70	1009.52	2804.21	574.58	905.12	594.32	189.13	5067.36
4ii	42.51	43.13	24.26	67.39	13.81	21.75	14.28	0.00	117.24
5	199.51	202.42	113.86	316.29	64.81	102.09	67.03	5.00	555.21
6	570.91	579.25	325.83	905.07	185.45	292.13	191.82	273.28	1847.75
11i	2844.00	2885.52	1623.11	4508.63	923.81	1455.25	955.56	159.00	8002.25
11ii	608.99	617.88	347.56	965.44	197.82	311.62	204.62	291.51	1971.00
11iii	4952.09	5024.39	2826.22	7850.61	1608.57	2533.94	1663.86	189.13	13846.11
12i	29720.30	30154.22	16961.75	47115.96	9653.95	15207.63	9985.75	204.43	82167.72
12ii	608.99	617.88	347.56	965.44	197.82	311.62	204.62	291.51	1971.00

<sup>12</sup> There are several fee items, such as 2iii, which list a total sum in column 10 without broken-out costs in columns 2 through 9. The full costs for these items were not computed through a time-and-motion study. Instead, they were estimated in a prior fee update or in specific decisions, based either on a comparable fee item (e.g., the costs for non-rail-related petitions to revoke were based upon the costs for rail-related petitions to revoke) or through a special calculation intended to lower the user fee below actual full costs (e.g., complaints for small rate cases—Three Benchmark).



<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
12iii	29720.30	30154.22	16961.75	47115.96	9653.95	15207.63	9985.75	204.43	82167.72
12iv	5903.87	5990.07	3369.41	9359.48	1917.73	3020.96	1983.65	0.00	16281.82
13	9128.57	9261.85	5209.79	14471.64	2965.20	4671.01	3067.12	185.50	25360.47
14i	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	189.13	6828.75
14ii	608.99	617.88	347.56	965.44	197.82	311.62	204.62	291.51	1971.00
14iii	2567.56	2605.05	1465.34	4070.38	834.01	1313.80	862.68	208.70	7289.57
15	614.76	623.74	350.85	974.59	199.69	314.57	206.55	162.62	1858.02
16	2326.04	2360.00	1327.50	3687.50	755.56	1190.22	781.53	231.78	6646.58
17	8392.85	8515.39	4789.90	13305.29	2726.22	4294.55	2819.92	159.00	23304.98
21i	8794.03	8922.42	5018.86	13941.29	2856.54	4499.83	2954.71	159.00	24411.37
21ii	1312.77	1331.94	749.21	2081.15	426.42	671.73	441.08	403.54	4023.93
21iii	2437.22	2472.80	1390.95	3863.76	791.67	1247.11	818.88	231.78	6953.20
22	190.18	192.96	108.54	301.49	61.78	97.31	63.90	0.00	524.48
23	758.84	769.92	433.08	1203.00	246.49	388.29	254.96	0.00	2092.75
24	726.15	736.75	414.42	1151.17	235.87	371.56	243.98	0.00	2002.59
25	624.60	633.72	356.47	990.19	202.89	319.60	209.86	0.00	1722.54
26	9050.92	9183.06	5165.47	14348.54	2939.98	4631.28	3041.03	0.00	24960.82
27i	468.30	475.14	267.26	742.40	152.12	239.63	157.34	0.00	1291.49
27ii	183.65	186.33	104.81	291.14	59.65	93.97	61.70	0.00	506.47
36	7497.03	7606.49	4278.65	11885.14	2435.24	3836.17	2518.93	189.13	20864.60
37	4015.01	4073.63	2291.42	6365.05	1304.18	2054.45	1349.01	189.13	11261.81
38i	593135.96	601795.75	338510.11	940305.85	192666.39	303502.72	199288.29	5843.36	1641606.62
38ii	118629.57	120361.56	67703.38	188064.94	38534.05	60701.76	39858.46	1168.66	328327.87
38iii	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68

<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
38iv	570.91	579.25	325.83	905.07	185.45	292.13	191.82	273.28	1847.75
38v	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68
38vi	3675.03	3728.69	2097.39	5826.07	1193.75	1880.48	1234.78	189.13	10324.21
38vii	2211.18	2243.46	1261.95	3505.41	718.25	1131.44	742.94	0.00	6098.04
39i	593135.96	601795.75	338510.11	940305.85	192666.39	303502.72	199288.29	5843.36	1641606.62
39ii	118629.57	120361.56	67703.38	188064.94	38534.05	60701.76	39858.46	1168.66	328327.87
39iii	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68
39iv	414.38	420.43	236.49	656.92	134.60	212.03	139.23	294.15	1436.94
39v	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1,494.06	8133.68
39vi	3675.03	3728.69	2097.39	5826.07	1193.75	1880.48	1234.78	189.13	10324.21
39vii	2211.18	2243.46	1261.95	3505.41	718.25	1131.44	742.94	0.00	6098.04
40i	593135.96	601795.75	338510.11	940305.85	192666.39	303502.72	199288.29	5843.36	1641606.62
40ii	118629.57	120361.56	67703.38	188064.94	38534.05	60701.76	39858.46	1168.66	328327.87
40iii	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68
40iv	383.81	389.41	219.05	608.46	124.67	196.39	128.96	240.51	1298.99
40v	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68
40vi	3675.03	3728.69	2097.39	5826.07	1193.75	1880.48	1234.78	189.13	10324.21
40vii	2211.18	2243.46	1261.95	3505.41	718.25	1131.44	742.94	0.00	6098.04
41i	593135.96	601795.75	338510.11	940305.85	192666.39	303502.72	199288.29	5843.36	1641606.62
41ii	118629.57	120361.56	67703.38	188064.94	38534.05	60701.76	39858.46	1168.66	328327.87
41iii	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68
41iv	456.34	463.00	260.44	723.44	148.23	233.51	153.33	272.57	1531.07
41v	2407.56	2442.71	1374.02	3816.73	782.04	1231.93	808.92	1494.06	8133.68

<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
41vi	2567.56	2605.05	1465.34	4070.38	834.01	1313.80	862.68	208.70	7289.57
41vii	2211.18	2243.46	1261.95	3505.41	718.25	1131.44	742.94	0.00	6098.04
42	824.10	836.13	470.32	1306.46	267.69	421.69	276.89	344.50	2617.22
43	27812.71	28218.78	15873.06	44091.84	9034.31	14231.53	9344.82	189.13	76891.63
44i	5095.39	5169.78	2908.00	8077.79	1655.12	2607.27	1712.00	189.13	14241.31
44ii	42.51	43.13	24.26	67.39	13.81	21.75	14.28	0.00	117.24
45	316.47	321.09	180.61	501.70	102.80	161.94	106.33	0.00	872.77
46	3127.50	3173.16	1784.90	4958.06	1015.90	1600.32	1050.81	189.13	8814.22
47	60154.34	61032.59	34330.83	95363.43	19539.74	30780.47	20211.31	0.00	165894.95
48	72960.80	74026.03	41639.64	115665.67	23699.62	37333.43	24514.17	0.00	201212.88
56i	166577.97	169010.01	95068.13	264078.14	54108.97	85236.56	55968.68	0.00	459392.35
56ii	16527.36	16768.66	9432.37	26201.03	5368.53	8456.91	5553.04	0.00	45579.51
56iii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
56iv	16527.36	16768.66	9432.37	26201.03	5368.53	8456.91	5553.04	0.00	45579.51
56v	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
56vi	20599.77	20900.53	11756.55	32657.07	6691.36	10540.73	6921.34	0.00	56810.49
57	3544.89	3596.65	2023.11	5619.76	1151.47	1813.89	1191.05	0.00	9776.17
58i	3330.21	3378.83	1900.59	5279.42	1081.74	1704.04	1118.92	596.26	9780.39
58ii	2635.04	2673.51	1503.85	4177.36	855.93	1348.33	885.35	159.00	7425.97
59	2739.40	2779.40	1563.41	4342.81	889.83	1401.73	920.41	189.13	7743.91
60	5428.28	5507.53	3097.99	8605.52	1763.25	2777.61	1823.85	0.00	14970.23
61i	2646.37	2685.01	1510.32	4195.32	859.61	1354.13	889.16	0.00	7298.22

<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
61ii	151.00	153.20	86.18	239.38	49.05	77.27	50.73	0.00	416.43
62	4192.55	4253.76	2392.74	6646.50	1361.85	2145.29	1408.66	0.00	11562.31
63i	7443.61	7552.29	4248.16	11800.45	2417.88	3808.83	2500.99	0.00	20528.15
63ii	8297.70	8418.85	4735.60	13154.45	2695.31	4245.86	2787.95	0.00	22883.58
64	238.85	242.34	136.31	378.65	77.58	122.22	80.25	0.00	658.71
76	496.15	503.39	283.16	786.55	161.16	253.88	166.70	2.00	1370.29
77	52.48	53.25	29.95	83.20	17.05	26.85	17.63	0.00	144.73
78	9.88	10.02	5.64	15.66	3.21	5.06	3.32	0.00	27.25
79i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
79ii	62.53	63.44	35.69	99.13	20.31	32.00	21.01	0.00	172.45
80	244.75	248.32	139.68	388.01	79.50	125.24	82.23	0.00	674.98
81i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
81ii	62.53	63.44	35.69	99.13	20.31	32.00	21.01	0.00	172.45
82	99.36	100.81	56.71	157.52	32.27	54.47	33.38	0.00	274.02
83	16.42	16.66	9.37	26.03	5.33	8.40	5.52	0.00	45.28
84	106.45	108.00	60.75	168.76	34.58	54.47	35.77	0.00	293.57
85	457.58	464.26	261.15	725.41	148.63	234.14	153.74	0.00	1261.92
86i	596.18	604.88	340.25	945.13	193.66	305.06	200.31	0.00	1644.16
86ii	2047.59	2077.48	1168.59	3246.07	665.11	1047.73	687.97	0.00	5646.89
86iii	209.61	212.67	119.63	332.30	68.09	107.26	70.43	0.00	578.07
87i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87ii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00

<b>FEE</b>	<b>2015 DIRECT LABOR</b>	<b>2016 DIRECT LABOR UPDATE [(2015 LEVEL X INCR. (1.46%)]</b>	<b>(56.25%) GOVT. FRINGES</b>	<b>TOTAL 3+4</b>	<b>(20.49%) OPERATIONS OVERHEAD</b>	<b>(26.79%) OFFICE G&amp;A</b>	<b>(13.87%) BOARD G&amp;A</b>	<b>PUBLICATION COSTS</b>	<b>TOTAL SUM (5-9)</b>
1	2	3	4	5	6	7	8	9	10
87iii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87iv	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	75.00
87v	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	150.00
88	228.50	231.84	130.41	362.24	74.22	116.92	76.77	0.00	630.16
96	12.85	13.04	7.33	20.37	4.17	6.58	4.32	0.00	35.44
97	9.78	9.92	5.58	15.50	3.18	5.00	3.29	0.00	26.97
98ia	65.06	66.01	37.13	103.14	21.13	33.29	21.86	0.00	179.42
98ib	18.86	19.14	10.76	29.90	6.13	9.65	6.34	0.00	52.01
98iia	102.79	104.29	58.66	162.95	33.39	52.60	34.54	159.00	442.48
98iib	18.86	19.14	10.76	29.90	6.13	9.65	6.34	0.00	52.01
98iiaa	16.27	16.50	9.28	25.79	5.28	8.32	5.46	0.00	44.86
98iiib	4.72	4.78	2.69	7.47	1.53	2.41	1.58	0.00	13.00
98iva	25.70	26.07	14.67	40.74	8.35	13.15	8.63	159.00	229.87
98ivb	4.72	4.78	2.69	7.47	1.53	2.41	1.58	0.00	13.00
98va	5.42	5.50	3.09	8.60	1.76	2.77	1.82	0.00	14.95
98vb	1.57	1.59	0.90	2.49	0.51	0.80	0.53	0.00	4.33
98via	8.57	8.69	4.89	13.58	2.78	4.38	2.88	159.00	182.62
98vib	1.57	1.59	0.90	2.49	0.51	0.80	0.53	0.00	4.33
99i	76.39	77.51	43.60	121.10	24.81	39.09	25.67	0.00	210.67
99ii	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25.00
100i	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250.00
100ii	73.34	74.41	41.86	116.27	23.82	37.53	24.67	0.00	202.26
102	6.81	6.91	3.89	10.80	2.21	3.48	2.29	0.00	18.78
103	42.14	42.76	24.05	66.81	13.69	21.56	14.16	0.00	116.21
104	29.17	29.60	16.65	46.24	9.48	14.93	9.80	0.00	80.45
105	0.95	0.96	0.54	1.51	0.31	0.49	0.32	0.00	2.62
106	73.34	74.41	41.86	116.27	23.82	37.53	24.64	0.00	202.26

## APPENDIX B

For the reasons set forth in the preamble, title 49, chapter X, part 1002, of the Code of Federal Regulations is amended as follows:

### Part 1002 - FEES

1. The authority citation for part 1002 continues to read as follows:

Authority: 5 U.S.C. 552(a)(4)(A) and 553; 31 U.S.C. 9701 and 49 U.S.C. 1321(a).

2. Section 1002.1 is amended by revising paragraphs (a) and (d), (f)(1) and (g)(6) and (7) as follows:

#### § 1002.1 Fees for record search, review, copying, certification, and related service.

\* \* \* \* \*

\* \* \*

(d) Photocopies of tariffs, reports and other public documents, at a rate of \$1.50 per letter or legal size exposure. A minimum charge of \$7.50 will be made for this service.

\* \* \* \* \*

(f) \* \* \*

(1) A fee of \$74.00 per hour for professional staff time will be charged when it is required to fulfill a request for ADP data.

\* \* \* \* \*

(g) \* \* \*

(6) \* \* \*

Grade	Rate	Grade	Rate
GS-1	\$12.43	GS-9	\$29.02
GS-2	13.53	GS-10	31.95
GS-3	15.25	GS-11	35.11
GS-4	17.12	GS-12	42.08
GS-5	19.15	GS-13	50.04
GS-6	21.35	GS-14	59.13
GS-7	23.72	GS-15 and	69.56
GS-8	26.27	over	

(7) The fee for photocopies shall be \$1.50 per letter or legal size exposures with a minimum of \$7.50.

\* \* \* \* \*

3. In § 1002.2, paragraph (f) is revised as follows:

(f) Schedule of filing fees.

Type of Proceeding		Fee
<b>PART I: Non-Rail Applications or Proceedings to Enter Into a Particular Financial Transaction or Joint Arrangement:</b>		
(1)	An application for the pooling or division of traffic.....	\$4,800.
(2)	(i) An application involving the purchase, lease,	

consolidation, merger, or acquisition of control of a motor carrier of passengers under 49 U.S.C. 14303.....	\$2,200.
(ii) A petition for exemption under 49 U.S.C. 13541 (other than a rulemaking) filed by a non-rail carrier not otherwise covered .....	\$3,500.
(iii) A petition to revoke an exemption filed under 49 U.S.C. 13541(d) .....	\$2,900.
(3) An application for approval of a non-rail rate association agreement. 49 U.S.C. 13703. ....	\$30,400.
(4) An application for approval of an amendment to a non-rail rate association agreement:	
(i) Significant amendment.....	\$5,000.
(ii) Minor amendment .....	\$100.
(5) An application for temporary authority to operate a motor carrier of passengers. 49 U.S.C. 14303(i) .....	\$550.
(6) A notice of exemption for transaction within a motor passenger corporate family that does not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with motor passenger carriers outside the corporate family ....	\$1,800.
(7)-(10) [Reserved]	

<b>PART II: Rail Licensing Proceedings other than Abandonment or Discontinuance Proceedings:</b>	
(11) (i) An application for a certificate authorizing the extension, acquisition, or operation of lines of railroad. 49 U.S.C. 10901 .....	\$8,000.
(ii) Notice of exemption under 49 CFR 1150.31-1150.35 .....	\$1,900.
(iii) Petition for exemption under 49 U.S.C. 10502 .....	\$13,800.
(12) (i) An application involving the construction of a rail line-	\$82,100.
(ii) A notice of exemption involving construction of a rail line under 49 CFR 1150.36 .....	\$1,900.
(iii) A petition for exemption under 49 U.S.C. 10502 involving construction of a rail line .....	\$82,100.
(iv) A request for determination of a dispute involving a rail construction that crosses the line of another carrier under 49 U.S.C. 10902(d) .....	\$300.
(13) A Feeder Line Development Program application filed under 49 U.S.C. 10907(b)(1)(A)(i) or 10907(b)(1)(A)(ii)	\$2,600.
(14) (i) An application of a class II or class III carrier to acquire an extended or additional rail line under 49	\$6,800.

U.S.C. 10902. ....	
(ii) Notice of exemption under 49 CFR 1150.41 - 1150.45 .....	\$1,900.
(iii) Petition for exemption under 49 U.S.C. 10502 relating to an exemption from the provisions of 49 U.S.C. 10902 .....	\$7,200.
(15) A notice of a modified certificate of public convenience and necessity under 49 CFR 1150.21-1150.24.....	\$1,800.
(16) An application for a land-use-exemption permit for a facility existing as of October 16, 2008 under 49 U.S.C. 10909 .....	\$6,600.
(17) An application for a land-use-exemption permit for a facility not existing as of October 16, 2008 under 49 U.S.C. 10909 .....	\$23,300.
(18)-(20) [Reserved]	

<b>PART III: Rail Abandonment or Discontinuance of Transportation Services Proceedings:</b>	
(21) (i) An application for authority to abandon all or a portion of a line of railroad or discontinue operation thereof filed by a railroad (except applications filed by Consolidated Rail Corporation pursuant to the Northeast Rail Service Act [Subtitle E of Title XI of Pub. L. 97-35], bankrupt railroads, or exempt abandonments) .....	\$24,400.
(ii) Notice of an exempt abandonment or discontinuance under 49 CFR 1152.50.....	\$4,000.
(iii) A petition for exemption under 49 U.S.C. 10502 ....	\$6,900.
(22) An application for authority to abandon all or a portion of a line of a railroad or operation thereof filed by Consolidated Rail Corporation pursuant to Northeast Rail Service Act .....	\$500.
(23) Abandonments filed by bankrupt railroads.....	\$2,000.
(24) A request for waiver of filing requirements for abandonment application proceedings .....	\$2,000.
(25) An offer of financial assistance under 49 U.S.C. 10904 relating to the purchase of or subsidy for a rail line proposed for abandonment .....	\$1,700.
(26) A request to set terms and conditions for the sale of or subsidy for a rail line proposed to be abandoned.....	\$24,900.
(27) (i) Request for a trail use condition in an abandonment proceeding under 16 U.S.C.1247(d).....	\$300.
(ii) A request to extend the period to negotiate a trail use agreement.....	\$500.
(28)-(35) [Reserved]	



<b>PART IV: Rail Applications to Enter Into a Particular Financial Transaction or Joint Arrangement:</b>	
(36) An application for use of terminal facilities or other applications under 49 U.S.C. 11102 .....	\$20,800.
(37) An application for the pooling or division of traffic. 49 U.S.C. 11322.....	\$11,200.
(38) An application for two or more carriers to consolidate or merge their properties or franchises (or a part thereof) into one corporation for ownership, management, and operation of the properties previously in separate ownership. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,641,600.
(ii) Significant transaction.....	\$328,300.
(iii) Minor transaction .....	\$8,100.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,800.
(v) Responsive application.....	\$8,100.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$10,300.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a).....	\$6,000.
(39) An application of a non-carrier to acquire control of two or more carriers through ownership of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,641,600.
(ii) Significant transaction.....	\$328,300.
(iii) Minor transaction .....	\$8,100.
(iv) A notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,400.
(v) Responsive application.....	\$8,100.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$10,300.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a).....	\$6,000.
(40) An application to acquire trackage rights over, joint ownership in, or joint use of any railroad lines owned and operated by any other carrier and terminals incidental thereto. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,641,600.
(ii) Significant transaction.....	\$328,300.
(iii) Minor transaction .....	\$8,100.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,200.
(v) Responsive application.....	\$8,100.

(vi) Petition for exemption under 49 U.S.C. 10502.....	\$10,300.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a).....	\$6,000.
(41) An application of a carrier or carriers to purchase, lease, or contract to operate the properties of another, or to acquire control of another by purchase of stock or otherwise. 49 U.S.C. 11324:	
(i) Major transaction .....	\$1,641,600.
(ii) Significant transaction.....	\$328,300.
(iii) Minor transaction .....	\$8,100.
(iv) Notice of an exempt transaction under 49 CFR 1180.2(d).....	\$1,500.
(v) Responsive application.....	\$8,100.
(vi) Petition for exemption under 49 U.S.C. 10502.....	\$7,200.
(vii) A request for waiver or clarification of regulations filed in a major financial proceeding as defined at 49 CFR 1180.2(a).....	\$6,000.
(42) Notice of a joint project involving relocation of a rail line under 49 CFR 1180.2(d)(5).....	\$2,600.
(43) An application for approval of a rail rate association agreement. 49 U.S.C. 10706 .....	\$76,800.
(44) An application for approval of an amendment to a rail rate association agreement. 49 U.S.C. 10706:	
(i) Significant amendment.....	\$14,200.
(ii) Minor amendment .....	\$100.
(45) An application for authority to hold a position as officer or director under 49 U.S.C. 11328.....	\$850.
(46) A petition for exemption under 49 U.S.C. 10502 (other than a rulemaking) filed by rail carrier not otherwise covered.....	\$8,800.
(47) National Railroad Passenger Corporation (Amtrak) conveyance proceeding under 45 U.S.C. 562 .....	\$300.
(48) National Railroad Passenger Corporation (Amtrak) compensation proceeding under Section 402(a) of the Rail Passenger Service Act .....	\$300.
(49)-(55) [Reserved]	

<b>PART V: Formal Proceedings:</b>	
(56) A formal complaint alleging unlawful rates or practices of carriers:	
(i) A formal complaint filed under the coal rate guidelines (Stand-Alone Cost Methodology) alleging	\$350.

	unlawful rates and/or practices of rail carriers under 49 U.S.C. 10704(c)(1) .....	
	(ii) A formal complaint involving rail maximum rates filed under the Simplified-SAC methodology .....	\$350.
	(iii) A formal complaint involving rail maximum rates filed under the Three Benchmark methodology .....	\$150.
	(iv) All other formal complaints (except competitive access complaints) .....	\$350.
	(v) Competitive access complaints .....	\$150.
	(vi) A request for an order compelling a rail carrier to establish a common carrier rate .....	\$300.
(57)	A complaint seeking or a petition requesting institution of an investigation seeking the prescription or division of joint rates or charges. 49 U.S.C. 10705 .....	\$9,700.
(58)	A petition for declaratory order:	
	(i) A petition for declaratory order involving a dispute over an existing rate or practice which is comparable to a complaint proceeding .....	\$1,000.
	(ii) All other petitions for declaratory order .....	\$1,400.
(59)	An application for shipper antitrust immunity. 49 U.S.C. 10706(a)(5)(A) .....	\$7,700.
(60)	Labor arbitration proceedings .....	\$300.
(61)	(i) An appeal of a Surface Transportation Board decision on the merits or petition to revoke an exemption pursuant to 49 U.S.C. 10502(d) .....	\$300.
	(ii) An appeal of a Surface Transportation Board decision on procedural matters except discovery rulings .....	\$400.
(62)	Motor carrier undercharge proceedings .....	\$300.
(63)	(i) Expedited relief for service inadequacies: A request for expedited relief under 49 U.S.C. 11123 and 49 CFR part 1146 for service emergency .....	\$300.
	(ii) Expedited relief for service inadequacies: A request for temporary relief under 49 U.S.C. 10705 and 11102, and 49 CFR part 1147 for service inadequacy .....	\$300.
(64)	A request for waiver or clarification of regulations except one filed in an abandonment or discontinuance proceeding, or in a major financial proceeding as defined at 49 CFR 1180.2(a) .....	\$650.
(65)-(75) [Reserved]		

<b>PART VI: Informal Proceedings:</b>	
(76) An application for authority to establish released value rates or ratings for motor carriers and freight forwarders of household goods under 49 U.S.C. 14706	\$1,300.

(77) An application for special permission for short notice or the waiver of other tariff publishing requirements	\$100.
(78) The filing of tariffs, including supplements, or contract summaries	\$1 per page. (\$27 min. charge.)
(79) Special docket applications from rail and water carriers:	
(i) Applications involving \$25,000 or less	\$75.
(ii) Applications involving over \$25,000	\$150.
(80) Informal complaint about rail rate applications	\$650.
(81) Tariff reconciliation petitions from motor common carriers:	
(i) Petitions involving \$25,000 or less	\$75.
(ii) Petitions involving over \$25,000	\$150.
(82) Request for a determination of the applicability or reasonableness of motor carrier rates under 49 U.S.C. 13710(a)(2) and (3)	\$250.
(83) Filing of documents for recordation. 49 U.S.C. 11301 and 49 CFR 1177.3(c).	\$45 per document.
(84) Informal opinions about rate applications (all modes)	\$250.
(85) A railroad accounting interpretation	\$1,200.
(86) (i) A request for an informal opinion not otherwise covered	\$1,600.
(ii) A proposal to use on a voting trust agreement pursuant to 49 CFR 1013 and 49 CFR 1180.4(b)(4)(iv) in connection with a major control proceeding as defined at 49 CFR 1180.2(a)	\$5,600.
(iii) A request for an informal opinion on a voting trust agreement pursuant to 49 CFR 1013.3(a) not otherwise covered	\$550.
(87) Arbitration of Certain Disputes Subject to the Statutory Jurisdiction of the Surface Transportation Board under 49 CFR 1108:	
(i) Complaint	\$75.
(ii) Answer (per defendant), Unless Declining to Submit to Any Arbitration	\$75.
(iii) Third Party Complaint	\$75.
(iv) Third Party Answer (per defendant), Unless Declining to Submit to Any Arbitration	\$75.
(v) Appeals of Arbitration Decisions or Petitions to Modify or Vacate an Arbitration Award	\$150.
(88) Basic fee for STB adjudicatory services not otherwise covered	\$300.
(89)-(95) [Reserved]	

<b>PART VII: Services:</b>	
(96) Messenger delivery of decision to a railroad carrier's Washington, DC, agent	\$35 per delivery.
(97) Request for service or pleading list for proceedings	\$26 per list.
(98) Processing the paperwork related to a request for the Carload Waybill Sample to be used in an STB or State proceeding that:	
(i) Annual request does not require a Federal Register (FR) notice:	
(a) Set cost portion	\$150.
(b) Sliding cost portion	\$52 per party.
(ii) Annual request does require a FR notice.	
(a) Set cost portion	\$400.
(b) Sliding cost portion	\$52 per party.
(iii) Quarterly request does not require a FR notice:	
(a) Set cost portion	\$44.
(b) Sliding cost portion	\$13 per party.
(iv) Quarterly request does require a FR notice:	
(a) Set cost portion	\$225.
(b) Sliding cost portion	\$13 per party.
(v) Monthly request does not require a FR notice:	
(a) Set cost portion	\$14.
(b) Sliding cost portion	\$4 per party.
(vi) Monthly request does require a FR notice:	
(a) Set cost portion	\$180.
(b) Sliding cost portion	\$4 per party.
(99) (i) Application fee for the STB's Practitioners' Exam	\$200.
(ii) Practitioners' Exam Information Package	\$25.
(100) Carload Waybill Sample data:	
(i) Requests for Public Use File for all years prior to the most current year Carload Waybill Sample data available, provided on CD-R	\$250 per year.
(ii) Specialized programming for Waybill requests to the Board	\$116 per hour.

\* \* \* \* \*

<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2015 Fee (Sub-No. 23)</b>	<b>2016 Fee (Sub-No. 24)</b>	<b>Difference</b>
(1)	Pooling/Division Traf. Non-Rail	\$4,700	<b>\$4,800</b>	<b>\$100</b>
(2i)	Appl. Purch. Lease of MC Passen.	\$2,100	<b>\$2,200</b>	<b>\$100</b>
(2ii)	PFE-Not Otherwise Cover. N-Rail	\$3,400	<b>\$3,500</b>	<b>\$100</b>
(2iii)	Pet. To Revoke-Filing from (2ii)	\$2,800	<b>\$2,900</b>	<b>\$100</b>
(3)	Appl. N-Rail Rate Assoc. Agree	\$29,500	<b>\$30,400</b>	<b>\$900</b>
(4i)	Appl. Amend. Agree. - Significant	\$4,900	<b>\$5,000</b>	<b>\$100</b>
(4ii)	Appl. Amend. Agree. - Minor	\$100	\$100	\$0
(5)	Temp. Author. of MC Passenger	\$500	<b>\$550</b>	<b>\$50</b>
(6)	Notice of Exempt. - MC Pass. Corp.	\$1,800	\$1,800	\$0
(11i)	Appl.-Extension, Acquis. or Opr.	\$7,700	<b>\$8,000</b>	<b>\$300</b>
(11ii)	NOE - Extension, Acquis. or Opr.	\$1,900	\$1,900	\$0
(11iii)	PFE - Extension, Acquis. or Opr.	\$13,400	<b>\$13,800</b>	<b>\$400</b>
(12i)	Appl. Construct New Rail Line	\$79,700	<b>\$82,100</b>	<b>\$2,400</b>
(12ii)	NOE - Construct New Rail Line	\$1,900	\$1,900	\$0
(12iii)	PFE - Construct New Rail Line	\$79,700	<b>\$82,100</b>	<b>\$2,400</b>
(12iv)	Rail Construct Cross Carrier	\$300	\$300	\$0
(13)	Feeder Line Development Appl.	\$2,600	\$2,600	\$0
(14i)	Appl. CL II or III Acquire Rail Ln.	\$6,600	<b>\$6,800</b>	<b>\$200</b>
(14ii)	NOE - CL II or III Acquire Rail Ln	\$1,900	\$1,900	\$0
(14iii)	PFE - CL II or III Acquire Rail Ln.	\$7,000	<b>\$7,200</b>	<b>\$200</b>
(15)	Notice of Modified Certificate	\$1,800	\$1,800	\$0
(16)	Land-Use-Exemption-Facility	\$6,400	<b>\$6,600</b>	<b>\$200</b>
(17)	Land-Use-Exemp.-New Facility	\$22,600	<b>\$23,300</b>	<b>\$700</b>
(21i)	Appl. to Abandon or Discontinue	\$23,700	<b>\$24,400</b>	<b>\$700</b>
(21ii)	NOE - Abandon or Discontinue	\$3,900	<b>\$4,000</b>	<b>\$100</b>
(21iii)	PFE - Abandon or Discontinue	\$6,700	<b>\$6,900</b>	<b>\$200</b>
(22)	Appl. Abandon Line of CR	\$500	\$500	\$0
(23)	Abandonment Filed Bankrupt RR	\$2,000	\$2,000	\$0
(24)	Waiver Request - Abandon Appl.	\$1,900	<b>\$2,000</b>	<b>\$100</b>
(25)	Offer Financial Assistance (OFA)	\$1,600	<b>\$1,700</b>	<b>\$100</b>
(26)	OFA - Set Terms and Conditions	\$24,200	<b>\$24,900</b>	<b>\$700</b>
(27i)	Request for Trail Use Condition	\$300	\$300	\$0
(27ii)	Request to Extend Negotiate Trail	\$450	<b>\$500</b>	<b>\$50</b>
(36)	Appl. Use of Terminal Facilities	\$20,200	<b>\$20,800</b>	<b>\$600</b>

<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2015 Fee (Sub-No. 23)</b>	<b>2016 Fee (Sub-No. 24)</b>	<b>Difference</b>
(37)	Appl. Pooling/Division Traf. - Rail	\$10,900	<b>\$11,200</b>	<b>\$300</b>
(38i)	Appl. Consolidation/Merger - Maj	\$1,593,600	<b>\$1,641,600</b>	<b>\$48,000</b>
(38ii)	Appl. Consolid./Merger-Signif.	\$318,700	<b>\$328,300</b>	<b>\$9,600</b>
(38iii)	Appl. Consolidation/Merger - Min	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(38iv)	NOE - Consolidation/Merger	\$1,800	\$1,800	\$0
(38v)	Consolid./Merger - Responsive	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(38vi)	PFE - Consolidation/Merger	\$10,000	<b>\$10,300</b>	<b>\$300</b>
(38vii)	Request for Waiver/Clarification	\$5,900	<b>\$6,000</b>	<b>\$100</b>
(39i)	Appl. Non-Carrier Acq. - Major	\$1,593,600	<b>\$1,641,600</b>	<b>\$48,000</b>
(39ii)	Appl. Non-Carrier Acq. - Signif.	\$318,700	<b>\$328,300</b>	<b>\$9,600</b>
(39iii)	Appl. Non-Carrier Acq. - Minor	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(39iv)	NOE - Non-Carrier Acquire	\$1,400	\$1,400	\$0
(39v)	Non-Carrier Acquire - Responsive	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(39vi)	PFE - Non-Carrier Acquire	\$10,000	<b>\$10,300</b>	<b>\$300</b>
(39vii)	Request for Waiver/Clarification	\$5,900	<b>\$6,000</b>	<b>\$100</b>
(40i)	Appl. Trackage Rights – Major	\$1,593,600	<b>\$1,641,600</b>	<b>\$48,000</b>
(40ii)	Appl. Trackage Rights-Significant	\$318,700	<b>\$328,300</b>	<b>\$9,600</b>
(40iii)	Appl. Trackage Rights – Minor	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(40iv)	NOE - Trackage Rights	\$1,200	\$1,200	\$0
(40v)	Trackage Rights-Responsive Appl.	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(40vi)	PFE - Trackage Rights	\$10,000	<b>\$10,300</b>	<b>\$300</b>
(40vii)	Request for Waiver/Clarification	\$5,900	<b>\$6,000</b>	<b>\$100</b>
(41i)	Appl. Purch., Lease, Oper.- Major	\$1,593,600	<b>\$1,641,600</b>	<b>\$48,000</b>
(41ii)	Appl. Purch., Lease, Oper.- Signif	\$318,700	<b>\$328,300</b>	<b>\$9,600</b>
(41iii)	Appl. Purch., Lease, Oper. - Minor	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(41iv)	NOE - Purchase, Lease, Operate	\$1,400	<b>\$1,500</b>	<b>\$100</b>
(41v)	Purch., Lease, Oper.-Responsive	\$7,900	<b>\$8,100</b>	<b>\$200</b>
(41vi)	PFE - Purchase, Lease, Operate	\$7,000	<b>\$7,200</b>	<b>\$200</b>
(41vii)	Request for Waiver/Clarification	\$5,900	<b>\$6,000</b>	<b>\$100</b>
(42)	Notice of Joint Project Relocation	\$2,500	<b>\$2,600</b>	<b>\$100</b>
(43)	Appl. Approval Rate Assoc. Agree	\$74,600	<b>\$76,800</b>	<b>\$2,200</b>
(44i)	Amend to Rate Agree-Significant	\$13,800	<b>\$14,200</b>	<b>\$400</b>
(44ii)	Amend to Rate Assoc. Agree-Min	\$100	\$100	\$0
(45)	Appl. Author. Officer/Director	\$800	<b>\$850</b>	<b>\$50</b>

APPENDIX C				
Fee Item	Description	2015 Fee (Sub-No. 23)	2016 Fee (Sub-No. 24)	Difference
(46)	PFE-Filed Rail-Not Other. Cover.	\$8,500	<b>\$8,800</b>	<b>\$300</b>
(47)	Amtrak Conveyance Proceeding	\$300	\$300	\$0
(48)	Amtrak Compensation Proceed.	\$300	\$300	\$0
(56i)	Formal Compl.-Coal Rate Guide	\$350	\$350	\$0
(56ii)	Formal Compl.-Simplified-SAC	\$350	\$350	\$0
(56iii)	Formal Compl.-Three Benchmark	\$150	\$150	\$0
(56iv)	Formal Complaint - All Others	\$350	\$350	\$0
(56v)	Competitive Access Complaint	\$150	\$150	\$0
(56vi)	Request to Establish CC Rate	\$300	\$300	\$0
(57)	Request for an Investigation	\$9,400	<b>\$9,700</b>	<b>\$300</b>
(58i)	Petition Declaratory-Exist Rate	\$1,000	\$1,000	\$0
(58ii)	Pet. Declar.-All Other Petition	\$1,400	\$1,400	\$0
(59)	Appl. Shipper Antitrust Immunity	\$7,500	<b>\$7,700</b>	<b>\$200</b>
(60)	Labor Arbitration Proceedings	\$300	\$300	\$0
(61i)	Appeal/Merits & Pet. Revoke Ex.	\$300	\$300	\$0
(61ii)	Appeal STB Decision-Procedural	\$400	\$400	\$0
(62)	Mtr. Carrier Undercharge Cases	\$300	\$300	\$0
(63i)	Service Emergency–Part 1146	\$300	\$300	\$0
(63ii)	Service Emergency–Part 1147	\$300	\$300	\$0
(64)	Req. Waiver/Clarif. O/T Aban/Fin	\$600	<b>\$650</b>	<b>\$50</b>
(76)	Release Value Rates for MC&HG	\$1,300	\$1,300	\$0
(77)	Short Notice of Tariff Publishing	\$100	\$100	\$0
(78)	Filing of Tariffs, Incl. Supplements	\$26	<b>\$27</b>	<b>\$1</b>
(79i)	Spec. Dk (RR&Water)< \$25,000	\$75	\$75	\$0
(79ii)	Spec. Dk (RR&Water)> \$25,000	\$150	\$150	\$0
(80)	Inform. Complaint RR Rate Appl.	\$650	\$650	\$0
(81i)	Tariff Recon. MC - <\$25,000	\$75	\$75	\$0
(81ii)	Tariff Recon. MC - >\$25,000	\$150	\$150	\$0
(82)	Request Reasonable. MC Rates	\$250	\$250	\$0
(83)	Documents for Recordation	\$43	<b>\$45</b>	<b>\$2</b>
(84)	Informal Opinions Rate Appl.	\$250	\$250	\$0
(85)	Railroad Accounting Interpretation	\$1,200	\$1,200	\$0
(86i)	A Request Informal Opinion-NOC	\$1,500	<b>\$1,600</b>	<b>\$100</b>
(86ii)	Voting Trust Agree. Major Cont.	\$5,400	<b>\$5,600</b>	<b>\$200</b>



<b>APPENDIX C</b>				
<b>Fee Item</b>	<b>Description</b>	<b>2015 Fee (Sub-No. 23)</b>	<b>2016 Fee (Sub-No. 24)</b>	<b>Difference</b>
(86iii)	Informal Opin.-Voting Trust-NOC	\$550	\$550	\$0
(87i)	Arbitration Disputes-Comp	\$75	\$75	\$0
(87ii)	Answer (Per Defendant)	\$75	\$75	\$0
(87iii)	Third Party Complaint	\$75	\$75	\$0
(87iv)	Third Party Answer(Per Defendant)	\$75	\$75	\$0
(87v)	Appeals of Arbitration Decision	\$150	\$150	\$0
(88)	Basic for Adjudicatory Services	\$300	\$300	\$0
(96)	Messenger Delivery - Railroad DC	\$34	<b>\$35</b>	<b>\$1</b>
(97)	Request Service/Pleadings List	\$26	\$26	\$0
(98i)(a)	Ann. Carload Way. Req.-No FR Set Cost	\$150	\$150	\$0
(98i)(b)	No FR Sliding Portion	\$50	<b>\$52</b>	<b>\$2</b>
(98ii)(a)	Ann. Carload Way. Req.-FR Set Cost	\$400	\$400	\$0
(98ii)(b)	FR Required Sliding Portion	\$50	<b>\$52</b>	<b>\$2</b>
(98iii)(a)	Qtr. Carload Way Req.- No FR Set Cost	N/A	<b>\$44</b>	N/A
(98iii)(b)	No FR Sliding Portion	N/A	\$13	N/A
(98iv)(a)	Qtr. Carload Way Req.- FR Set Cost	N/A	<b>\$225</b>	N/A
(98iv)(b)	FR Required Sliding Portion	N/A	\$13	N/A
(98v)(a)	Month. Carload Way Req.- No FR Set Cost	N/A	<b>\$14</b>	N/A
(98v)(b)	No FR Sliding Portion	N/A	\$4	N/A
(98vi)(a)	Month. Carload Way Req.- FR Set Cost	N/A	\$180	N/A
(98vi)(b)	FR Required Sliding Portion	N/A	\$4	N/A
(99i)	Application STB Practitioners' Exam	\$200	\$200	\$0
(99ii)	Practitioners Exam Package	\$25	\$25	\$0
(100i)	Carld. Waybill-(CD-R)-per yr.-Prior	\$250	\$250	\$0
(100ii)	Special Programming-Waybill	\$114	<b>\$116</b>	<b>\$2</b>
1002.1a	Certificate of the Records Officer	\$18	\$18	\$0
1002.1b	Exam Tariffs for Certification	\$42	\$42	\$0
1002.1c	Checking Records Authenticity	\$29	\$29	\$0
1002.1d	Electrostatic Copies Tariffs, Recon.	\$1.40	<b>\$1.50</b>	<b>\$0.10</b>
1002.1f1	Pro Staff Time for ADP Data Req.	\$73	<b>\$74</b>	<b>\$1</b>
No Item	Courier Service Cost – Elsewhere		NA	\$0